



MONTGOMERY COUNTY, MARYLAND

News Release

For Immediate Release: November 23, 2010

**Office of Consumer Protection Issues
Alert about Buying New and Used Mattresses**

Montgomery County's Office of Consumer Protection (OCP) advises consumers to be aware of industry-wide deceptive advertising used by mattress retailers. OCP also recommends caution when purchasing used mattresses.

Consumers are subjected to extensive advertisements for mattresses allegedly being sold at "sale" prices. These prices are advertised as being available for a limited period of time and retailers generally proclaim that they will beat the price offered by competitors.

Advertisements for mattress sales typically run continuously and never contain the trade names of the mattresses in the ads. Without this information, it is virtually impossible for consumers to comparison shop for mattresses manufactured by Sealy, Serta and Simmons. Representations that retailers will "beat the competitor's price by 20 or 25 percent or it's free," are deceptive because different product names are used to identify mattresses made by the same manufacturer. These mattress advertisements typically only state the name of the manufacturer and the mattress "line" but not the name of each specific mattress. Such advertising misleads consumers into believing that one store has a better price than another when in fact, it is virtually impossible to make such a comparison.

"Mattress manufacturers and retailers appear to have collaborated in creating a unique industry in which advertisements give the false impression that consumers can effectively compare prices on mattresses," said OCP Director Eric Friedman. "Car dealers do not use different names to sell vehicles made by the same manufacturer. The mattress industry would like consumers to believe that the market is competitive when, in fact, it is really anti-competitive."

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During the last three years OCP has received 47 complaints about sales practices and/or warranty issues dealing with mattresses. According to OCP's online merchant complaint history report, during that period of time, the following numbers of complaints were filed with OCP:

Retailer	Number of Complaints
Mattress Warehouse	28
(Discount) Mattress Fame	8
Mattress Depot, Inc.	3
Casa Furniture and Bedding, LLC	2
Macy's	2
Mattress Discounters	2
Sleepy's Rockville	2
Total Mattress Complaints	47

OCP has sent a [letter](#) to the Federal Trade Commission (FTC) summarizing its concerns and suggesting that the FTC initiate an investigation into what appears to be a nationwide advertising issue.

Consumer Reporter Liz Crenshaw, NBC-4 Washington, recently broadcast a "hidden camera" [video](#) about how difficult it is to comparison shop for mattresses. In addition, the New York Times column, "The Hagglers" reported on these practices in the mattress industry. OCP's cable TV show, "Consumer Compass" also featured a report on mattress advertising and bed bugs.

Consumers are also warned to be cautious when purchasing used mattresses. Recent reports about bed bugs have generated concern related to used bedding products. Prior to 2008, Maryland law prohibited the sale of used mattresses unless they were labeled as disinfected. Currently, there is no State law requiring used mattresses to be disinfected. OCP recommends that consumers avoid purchasing used mattresses without a written guarantee that they are disinfected and urges the public to never re-use mattresses that have been abandoned or are being given away by strangers.

Consumers with complaints or questions should contact the Office of Consumer Protection at 240-777-3636 or email consumerprotection@montgomerycountymd.gov.

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OCP, the County's consumer protection agency, investigates thousands of complaints each year involving automotive sales and repairs, new home purchases, home improvements, credit issues, retail sales, internet services and most other consumer transactions. OCP provides pre-purchase information to consumers, as well as speakers to the community on consumer issues.

For more information and to check any merchant's complaint record, call 240-777-3636 or visit OCP's website at www.montgomerycountymd.gov/consumer.

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Media Contact: Sue Tucker, 240-777-6507